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GENERAL ASSEMBLY
Fifty-second session
REVIEW OF THE IMPLEMENTATION OF THE
DECLARATION ON THE STRENGTHENING
OF INTERNATIONAL SECURITY

SECURITY COUNCIL
Fifty-second year

Letter dated 29 January 1997 from the Chargé d'affaires a.i. of the Permanent Mission of Yugoslavia to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith the text of a letter dated 28 January 1997 from His Excellency Mr. Radoje Kontić, President of the Federal Government of the Federal Republic of Yugoslavia, relating to the Prevlaka issue.

I should be grateful if you would have the text of the present letter and its annex circulated as an official document of the General Assembly, under the item entitled "Review of the implementation of the Declaration on the Strengthening of International Security", and of the Security Council.

(Signed) Vladislav JOVANOVIĆ
Chargé d'affaires a.i.

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ANNEX

Letter dated 28 January 1997 from the President of the Federal Government of the Federal Republic of Yugoslavia, addressed to the Secretary-General

The Government of the Federal Republic of Yugoslavia has acquainted itself with the aide-mémoire of the Government of the Republic of Croatia of 25 November 1996 (A/51/690-S/1996/974). The Government of the Federal Republic of Yugoslavia is not in agreement with its contents. However, the Government of the Federal Republic of Yugoslavia does not intend to have it considered in the Security Council for the time being since it is, according to the Agreement on the normalization of relations between the two countries, the subject of negotiations and since the Government of the Federal Republic of Yugoslavia does not wish to jeopardize the prospects for these negotiations.

(Signed) Radoje KONTIĆ

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29 January 1997

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TWENTY-FIRST PROGRESS REPORT OF THE SECRETARY-GENERAL ON THE UNITED NATIONS OBSERVER MISSION IN LIBERIA

I. INTRODUCTION

1. The present report is submitted pursuant to Security Council resolution 1083 (1996) of 27 November 1996, by which the Council extended the mandate of the United Nations Observer Mission in Liberia (UNOMIL) until 31 March 1997 and requested me to keep the Council informed of the situation in Liberia, especially on the progress of demobilization and disarmament. The Council also requested me to submit by 31 January 1997 a progress report and recommendations on possible United Nations support for the holding of free and fair elections. The present report reviews developments in Liberia since my predecessor's last report dated 19 November 1996 (S/1996/962).

II. POLITICAL ASPECTS

2. During the period under review, some progress has been made towards the implementation of the Abuja Agreement. The disarmament and demobilization process began on schedule on 22 November 1996, but has been hindered by several constraints, as indicated in section IV of the present report. In accordance with the revised schedule of implementation of the Abuja Agreement, the Economic Community of West African States Monitoring Group (ECOMOG) has deployed troops in the interior of Liberia in support of the disarmament process. UNOMIL has also deployed military observer teams to the disarmament sites.

3. The deep divisions that resurfaced within the Council of State in the aftermath of the shooting incident at the Executive Mansion on 31 October 1996 have persisted. However, during their visit to Liberia in mid-January, the Special Envoy of the Chairman of ECOWAS, Chief Tom Ikimi, Foreign Minister of Nigeria, the Foreign Minister of Guinea, Mr. Lamine Camara, and the Deputy Foreign Minister of Ghana, Mr. Mohammed Ibn Chambas, met separately with the Chairman and some members of the Council of State. The Council then met, on 16 January, for the first time since the 31 October incident. At the meeting, which was held in the presence of the Economic Community of West African States (ECOWAS) delegation, the ECOMOG Force Commander, my Special Representative and others, Chief Ikimi appealed to all members to extend their fullest cooperation to ensure a successful conclusion of the Liberian peace process. He stressed

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the importance of disarmament to the peace process and proposed that the Committee of Nine be reconvened early in February, following the 31 January deadline for its completion, to confirm that it had been carried out.

4. The second ECOWAS verification and assessment meeting, convened in accordance with the revised timetable for the implementation of the Abuja Agreement, also began on 16 January. In a statement issued on 18 January, Chief Ikimi expressed concern at the slowness of the disarmament and demobilization process and the quantity and poor quality of the arms collected thus far. The reasons for this appeared to include lingering suspicions among the faction leaders and insufficient incentives for the fighters. Chief Ikimi also stated that the Council of State had assured him and the members of the verification team that they would resume normal meetings and facilitate the successful implementation of the Abuja Agreement. He stressed that the deadline for the completion of disarmament and demobilization would not be extended beyond 31 January and called on faction leaders to ensure a substantial turnover of weapons and the demobilization of their fighters by that date. The assessment team had agreed to recommend that the ministerial meeting of the Committee of Nine scheduled for March 1997 should be brought forward to early February in order to assess the outcome of the disarmament exercise and endorse the mode of implementation of the rest of the programme.

III. MILITARY ASPECTS

Status of the ceasefire

5. During the period under review, violations of the ceasefire continued to be reported. UNOMIL has received six new complaints from ULIMO-J and ULIMO-K wings of the United Liberation Movement of Liberia for Democracy (ULIMO) concerning incidents in Grand Cape Mount and Bomi counties. These include a complaint from ULIMO-J regarding an attack on its fighters by ULIMO-K at Doe Village near Tubmanburg on 22 November; a complaint from ULIMO-K concerning an attack by ULIMO-J on its convoy escorting Revolutionary United Front of Sierra Leone (RUF/SL) fighters at Underwear Town, near Sawmill in Lower Lofa County on 24 November; a complaint from ULIMO-J concerning an ambush by ULIMO-K on a taxi at Amadu Town, Bomi County, on 14 December; a complaint from ULIMO-K concerning an attack by a platoon-sized force of ULIMO-J in Jay-Due, north of Suehn District and Gbana on 12 January; a complaint from ULIMO-J of an ambush on the Monrovia-Bomi highway on 16 January in which no faction has been accused; and a complaint submitted on 24 January by ULIMO-K against ULIMO-J for importing warlike materials into Monrovia. The investigations of the Ceasefire Violations Committee (CFVC) into these allegations have been hampered by the failure of some factions to attend its meetings.

6. As indicated in the 19 November report (S/1996/962, para. 12), the report of CFVC on the incident in September 1996 in Greenville has been forwarded to the ECOWAS Committee of Nine on Liberia for review and appropriate action. The investigation into the ceasefire violation aspects of the Sinje massacre has also been completed and is being submitted to ECOWAS. CFVC found that 21 individuals had been identified as victims of the massacre, which took place on 28 September 1996. The massacre appeared to be the work of some ULIMO fighters

acting on their own. No evidence of the involvement of the ULIMO High Military Command could be established.

7. The investigation into the shooting incident of 31 October at the Executive Mansion, when five persons, including a close personal aid to Charles Taylor, were killed and several injured, is also still under way.

Deployment of the Economic Community of West African States Monitoring Group and the United Nations Observer Mission in Liberia

8. The force strength of ECOMOG remains at 7,500 all ranks. To date, the additional troops pledged for ECOMOG have not yet arrived in Liberia, though some of the support pledged by donor countries is now becoming available. The Force Commander has deployed into the interior of Liberia in support of the disarmament process, while retaining a force of sufficient strength in Monrovia to assist in maintaining its safe-haven status. ECOMOG deployed initially at the designated disarmament sites of the Barclay Training Center, Camp Schiefflin, Tubmanburg, Bo Waterside, Kakata, Voinjama, Buchanan, Camp Nama and Zwedru, and subsequently at three additional sites at Tapeta, Greenville and Harper (see annex III).

9. ECOMOG has also established buffer zones between ULIMO-J and ULIMO-K in Bomi and Grand Cape Mount counties, as well as between the National Patriotic Front of Liberia (NPFL) and the Liberian Peace Council (LPC) in Grand Gedeh County. The creation of a similar buffer between the NPFL and ULIMO-K in Bong and Lofa counties and between NPFL and LPC in Sinoe, Maryland and Grand Kru counties is also being contemplated, but ECOMOG considers that it would require additional troops and logistic support for such a deployment.

10. With regard to future deployment plans, the ECOMOG Force Commander has declared that any fighters found with a weapon after 31 January 1997 will be treated as criminals. Following that deadline, ECOMOG has indicated that it intends to carry out cordon and search operations to disarm recalcitrant fighters. ECOMOG will also be responsible for providing security for the electoral process.

11. The new Chief Military Observer of UNOMIL, Major-General Sikandar Shami, assumed his functions on 16 December 1996. As at 28 January 1997, the military strength of UNOMIL stood at 78 military observers, who are deployed at the disarmament sites at Bo Waterside, Tubmanburg, Kakata, Camp Nama, Voinjama, Zwedru, Tapeta, the Barclay Training Center, Greenville, Camp Schiefflin and Buchanan (see annex I). Monitoring teams are also deployed at James Spriggs Payne Airport and at the seaport in Monrovia.

IV. DISARMAMENT AND DEMOBILIZATION

12. When the disarmament and demobilization exercise began on 22 November 1996 as scheduled, UNOMIL and the United Nations Humanitarian Assistance Coordination Office (HACO), which is responsible for the operational aspects of demobilization and for coordinating bridging and reintegration activities, were facing severe logistic, financial and manpower constraints. It will be recalled

that during the April 1996 crisis in Monrovia, United Nations assets were comprehensively looted and, owing to the breakdown of the ceasefire and the deteriorating security situation, my predecessor was compelled to reduce the strength of UNOMIL drastically and to adjust the Mission's budget to a minimum level.

13. When the peace process was reactivated with the adoption of the revised schedule of implementation of the Abuja Agreement, my predecessor submitted proposals to the Security Council (S/1996/858, paras. 22-30) for assistance that the United Nations could provide, including support for disarmament, demobilization, and the verification of compliance by the factions. While the Security Council, in a letter dated 8 November 1996 from the President of the Council addressed to my predecessor (S/1996/917), welcomed these proposals and encouraged the Secretary-General to make all appropriate arrangements necessary to carry them out, it remained concerned that conditions in Liberia might not be right for the implementation of the proposals at that time, given the continued insecurity in some parts of the country. The Council also referred to my predecessor's assurance in paragraph 59 of his 17 October 1996 report (S/1996/858) that the personnel and logistic resources needed to implement the proposals would not be deployed unless the factions took the concrete steps required to implement the revised timetable of the Abuja Agreement. When the disarmament and demobilization exercise began, UNOMIL and HACO did not have the necessary manpower, financial or logistic resources to carry out their responsibilities in full. They were operating with the curtailed level of resources requested, following the aftermath of the April 1996 crisis, until commitment authority to incur additional expenditures was granted by the Advisory Committee on Administrative and Budgetary Questions on 20 December 1996.

14. Despite these constraints, UNOMIL was able to deploy two military observers to each of the designated sites at the Barclay Training Center, Camp Schiefflin, Tubmanburg, Bo Waterside, Kakata, Voinjama, Buchanan, Camp Nama and Zwedru on 22 November. HACO also deployed demobilization teams to all active sites. Additional sites were subsequently designated by the ECOMOG Force Commander at Tapeta, Greenville and Harper. UNOMIL deployed military observers to Tapeta and Greenville on 19 and 27 December 1996 respectively, followed by HACO demobilization teams. Military observers and HACO demobilization personnel were expected to be deployed to Harper by the end of January. The demobilization exercise coordinated by HACO is therefore currently being carried out at all designated disarmament sites.

15. In order to lend credibility to the disarmament and demobilization exercise, a fixed ration is given only in exchange for a serviceable weapon or 100 rounds of ammunition. Reintegration coupons and/or food rations are issued to the demobilized fighters, who are then transported to their final destinations. ECOMOG has provided limited transportation to make up for a shortage of vehicles, and additional trucks for UNOMIL were scheduled to arrive shortly. The World Food Programme (WFP) has facilitated disarmament and demobilization by providing a single food ration to demobilized combatants who have surrendered a serviceable weapon. By 26 January 1997, about 596 metric tons of assorted food commodities had been distributed to some 12,500 demobilized combatants.

16. During the first week of disarmament and demobilization, the factions' fighters showed remarkable enthusiasm to disarm, and turned out in large numbers. However, at Zwedru, which is earmarked for LPC, and Voinjama and Bo Waterside, which are both earmarked for ULIMO-K, commencement of the process was delayed because of local concerns expressed by the leadership of the factions concerned.

17. During the second week of the exercise, the pace of disarmament started slowing down at all sites. However, as the present report was being completed, the process gathered speed, with a surge in the number of disarming fighters over the past 10 days. An ad hoc disarmament site was established at Sawmill on 11 January, which resulted in the disarmament of 916 ULIMO-K fighters. Almost 2,500 fighters were disarmed on 25 and 26 January, along with a significant surrender of heavy weapons by NPFL at ad hoc disarmament sites established at Gbarnga and Saniquellie. ULIMO-J and the Armed Forces of Liberia (AFL) also indicated that they would shortly disarm at Tubmanburg and Camp Schiefflin. As of 26 January 1997, a total of 12,510 fighters had been disarmed and a total of 4,428 serviceable and 1,103 unserviceable weapons surrendered, as well as more than 500,000 pieces of ammunition (see annex II). At the same time, amid increasing scepticism about the declared total of 60,000, a figure established on the basis of 1993 data, ECOMOG and UNOMIL now consider that a more realistic estimate of the overall number of fighters is in the region of 33,000. That figure has been conveyed to all the factions with a request to meet it by the 31 January deadline.

18. Despite concerted efforts by my Special Representative and members of the mediation committee, as well as the ECOMOG Force Commander, deep mutual suspicion and mistrust persist among the factions and constitute the main obstacle to disarmament. As a result, some local commanders have been actively discouraging their fighters from disarming. In some instances, fighters who had disarmed without their commanders' consent have been arrested and punished. In other areas, fighters have been coming to disarmament sites to disarm under cover of darkness and have been requesting that they be transported away from these sites for their safety.

19. It must also be said that, the Council of State and the Liberian National Transitional Government (LNTG) have not been able to extend their full support to ensure that the fighters disarm. Neither the National Disarmament and Demobilization Commission (NDDC), which is the LNTG agency charged with the responsibility for coordinating disarmament activities with the factions, nor the Council of State itself have taken the concerted action required. However, the Chairman of the Council of State, Ms. Ruth Perry, addressed the nation on the eve of the exercise and urged the fighters to come forward to disarm. The Chairman also undertook two trips covering Bomi, Grand Cape Mount, Margibi and Bong counties to encourage fighters to disarm. In this context, I wrote to the Chairman of the Council of State on 14 January 1997 to express concern at the continuing difficulties in the disarmament process and asking her to urge the faction leaders to make a serious effort to accelerate it.

V. ELECTORAL PROCESS

20. It will be recalled that, in keeping with the revised schedule of implementation of the Abuja Agreement, the United Nations received in late October 1996 a formal request from the Council of State for assistance in developing a suitable electoral framework for the holding of elections in Liberia by the end of May 1997. Following discussions with ECOWAS, a United Nations technical survey team arrived in Monrovia on 8 December 1996 and conducted consultations with a wide range of interested parties, including members of the Council of State and representatives of Liberian civil society and the international community.

21. As requested, the team focused its attention on what steps would be needed in the prevailing circumstances to create a viable and credible framework for free and fair elections by the end of May 1997. It identified three key conditions for success: a fair and credible political framework; an efficient and well-planned electoral operation; and adequate support from the international community. Based on the conclusions of the technical survey team, a set of draft recommendations were prepared, dealing primarily with the requirements for establishing a credible political framework for elections to take place. The recommendations were also developed on the basis of the need for the elections to be as inclusive, operationally simple and cost-effective as possible.

22. On 14 January, I dispatched Mr. Lansana Kouyaté, Assistant Secretary-General for Political Affairs, as my Special Envoy to the region for consultations on the draft recommendations with the Chairman of ECOWAS, the Head of State of Nigeria, and with the Liberian parties and civil society. It was proposed to the Chairman of ECOWAS, and accepted by him, that a "provisional electoral package" for the forthcoming elections should be enacted at a special meeting of the ECOWAS Committee of Nine with the Liberian parties and become an integral part of the Abuja Agreement. The package would not seek to replace or reform the existing Liberian electoral system, nor to change the country's Constitution, but would serve as a provisional mechanism that would permit the installation of a government of national unity and pave the way for a return to constitutional order. It is expected that the meeting of the Committee of Nine and the Liberian parties will take place in mid-February and be held at the summit level.

23. My Special Envoy found that, while there was broad agreement among Liberians on many of the ideas suggested by the technical team, some did not elicit the same degree of support. Moreover, the inflexible tone of some of the reactions, especially on the part of certain of the faction leaders, could be cause for concern. The features of the electoral recommendations that require further discussion include the number of chambers in the legislative assembly; whether there should be a run-off in the presidential election; the composition of the electoral commission; voting by refugees; and the roles to be played by ECOWAS and the United Nations. It is hoped that these questions will be resolved through a fully constructive approach by all the parties, including the Liberian factions, as further steps are taken towards the holding of free and fair elections in Liberia. Such steps must be taken urgently if the elections are to be held on schedule by the end of May 1997.

24. While it is clear that UNOMIL could, in addition to its present observation and verification mandate, play a key role in matters such as coordinating international electoral support and managing the international trust fund for elections, it will be necessary to await enactment of the electoral package before a clear determination can be made as to how UNOMIL and the United Nations system can best provide support for the elections. Once the package is enacted and the political and organizational frameworks have been established, specific recommendations on the role of UNOMIL will be submitted to the Security Council. It is anticipated that these recommendations would be based upon joint coordination of the elections by the United Nations and ECOWAS.

VI. HUMAN RIGHTS

25. The report of CFVC on the Sinje massacre is referred to in paragraph 6 above. In addition, the Human Rights Officer is conducting a parallel inquiry to ascertain the whereabouts and well-being of the persons who were abducted and who remain missing. UNOMIL has also received reports about a series of massacres and other violations that took place at the end of September 1996 in Bomi and Grand Cape Mount counties, which are believed to be linked to the Sinje massacre.

26. UNOMIL is conducting investigations into four other incidents related to human rights which took place in December. On 1 December 1996, three Ministry of Education personnel were abducted in Congo Town, just outside Monrovia. According to newspaper reports, the three were flogged and then killed after tyres were placed around their necks and set on fire. However, the deaths of the abducted individuals have not been established.

27. Another investigation now being finalized concerns the Bloun Town massacre of 7 December 1996, when at least 11 civilians were hacked to death. The attack represented the culmination of a series of clashes in the area over a two-month period between ULIMO-J fighters and members of the so-called Congo Defence Force, which is affiliated with ULIMO-K.

28. On 14 December 1996, four persons were killed when the taxi in which they were travelling along the Bomi Highway en route to Tubmanburg was ambushed by armed men. The UNOMIL investigation into the incident is continuing.

29. On 16 January 1997, six persons were killed by armed fighters on Bomi Highway. Five out of the six victims were identified as ULIMO-J fighters. Accusations have been levelled at the Congo Defence Force.

30. Reports of other recent apparent or alleged human rights violations received by UNOMIL include the harassment and detention of members of the international humanitarian community by ULIMO-J fighters at Vonzula, Grand Cape Mount County, resulting in the suspension of humanitarian assistance to the area on 20 December 1996, as well as the discovery of more than 100 skeletons at Greenville Hospital in December 1996.

VII. HUMANITARIAN ASPECTS

Bridging programmes

31. The financial commitment authority of $10 million granted by the Advisory Committee on Administrative and Budgetary Questions included an amount of $1.71 million for the purpose of initial reintegration, or so-called bridging activities. HACO will coordinate these activities, channelling funds to implementing partners. In addition, both the European Union (EU) and USAID have made funds available for this programme, as have United Nations agencies, particularly WFP, in supporting all food-for-work activities, and UNDP, through the United Nations Office for Project Services.

32. To date, a limited number of bridging programmes have been implemented, where logistics and security conditions permit. WFP, EU and UNDP/Office for Project Services have embarked on a Civil Reconstruction Team bridging programme in support of the demobilization exercise.

33. The Food and Agriculture Organization of the United Nations (FAO) will play a major role in the resettlement and reintegration exercise by providing basic agricultural inputs, as well as technical support, in order to enable the resumption of productive farming activities.

34. Child fighters are receiving special attention in the reintegration exercise. Statistics on disarmed fighters indicate that child fighters constitute almost 30 per cent of the total number of combatants, of which it might be possible to reunite 90 per cent with their families. Operating within the framework adopted by the Demobilization Task Force, the United Nations Children's Fund (UNICEF) has played a leading role in the demobilization and reintegration of child soldiers, together with international and national non-governmental organizations. Some 3,000 child fighters have been demobilized since 22 November 1996.

35. UNDP has approved an emergency assistance project for key public institutions in order to enable them effectively to participate in the reintegration programme. These include the Ministries of Planning and Economic Affairs, Education, Agriculture, Commerce and Justice, and the Budget Bureau. In order to improve safety at Spriggs Payne Airport, one of the major channels for emergency assistance, UNDP has provided a mobile control tower, which has been operational since December 1996.

Relief, resettlement and reintegration

36. Since my predecessor's last report, the level of humanitarian assistance has modestly increased, though humanitarian activities continue to be impeded by the lack of secure access to many areas of Liberia. UNICEF supports sanitation, water, education and health programmes and has started a national vaccination campaign with the World Health Organization (WHO) in collaboration with the county health teams. WFP provides relief food to the vulnerable and to displaced people in the shelters, and has launched a school feeding programme. During the reporting period, WHO has maintained its support for the health delivery system in the country through the reactivation of health services and

the supply of medical equipment and drugs, as well as by undertaking epidemiological monitoring and the training of health workers. FAO has resumed its activities and is currently engaged in planning for the coming agricultural season. FAO is also updating the plans and strategies drawn up last year for agricultural activities, as well as for food security.

37. Owing to the slow pace of implementation of the Abuja Agreement, as well as the frequent violations of the Agreement by the factions, the Office of the United Nations High Commissioner for Refugees (UNHCR) has not yet resumed planning for the organized return of Liberian refugees from the surrounding countries. It is hoped that, following the disarmament exercise, conditions will permit UNHCR to begin to plan for the voluntary return of the refugees.

38. The Department of Humanitarian Affairs of the Secretariat and UNDP jointly launched, on 23 December 1996, the United Nations consolidated inter-agency appeal and the United Nations system inter-agency appeal for community rehabilitation and peace programmes in Liberia. The documents focus on the continuation of humanitarian activities, the reintegration of the affected population, and the rehabilitation of basic social infrastructures and governance activities. The Department of Humanitarian Affairs is coordinating the humanitarian assistance activities, while UNDP is coordinating long-term reintegration/rehabiiitation activities.

VIII. ECONOMIC AND SOCIAL ASPECTS

39. Since the 6 April upheaval in Monrovia, economic activities, especially retail and wholesale trade in food and general merchandise, have revived to about 70 per cent of the level of the period before 6 April. The exchange rate has strengthened to L$ 52 to US$ 1 as of 15 December 1996, from a rate of L$ 80 to US$ 1 on 1 July 1996. The prices of gasoline, rice and other basic commodities have also relatively declined. However, high unemployment and arrears in the payment of salaries leave the general population still unable to meet its basic needs without humanitarian and development assistance.

40. With UNDP funding, the International Labour Organization (ILO) has started a vocational training programme in order to increase the availability of skilled labour and jobs. Collaborative assistance also includes educational support, electricity supply to the J. F. Kennedy Memorial Hospital and planning for the initiation of a governance programme, including continued assistance for the holding of free and fair elections.

41. FAO resumed operations in Liberia in September 1996 with the appointment of an Emergency Coordinator. The primary objective of the operation is to improve the coordination mechanism in the agricultural sector, with a view to designing a strategy to enhance the country's food security.

42. With UNDP funding, WHO is strengthening a rapid epidemic response task force through an active national disease surveillance system. This initiative will enhance the Government's ability to plan and monitor disease trends in the country, especially during repatriation, resettlement and reintegration. WHO is also implementing the community and social mobilization and empowerment for

health and development programme, the goal of which is to build on people's own capacity and initiative for health action.

IX. CONCLUDING OBSERVATIONS

43. Over the past two and one half months, the Liberian peace process has witnessed some positive developments. The disarmament and demobilization process began on schedule on 22 November 1996, and, as of 26 January, more than 12,500 fighters, including approximately 3,000 child fighters, had been disarmed and demobilized, handing in their weapons and ammunition as they did so. While this is not a negligible achievement, it represents little more than a third of the estimated total number of fighters in the country. The significant rise in the number of fighters disarming during the past week can be attributed partly to the public support recently given to this process by faction leaders. However, some of the smaller factions have yet to show positive results. At the time of writing, despite these hopeful signs of compliance, it appears unlikely that the disarmament process can be effectively completed by 31 January. I note, in this context, the intention of ECOMOG to use vigorous measures thereafter to ensure the maximum possible level of security.

44. Preparations for the elections continue. The support expressed for this process by interested donor countries and by the Chairman of ECOWAS and Head of State of Nigeria and his agreement that a special joint meeting of the Committee of Nine and the Liberian parties should be called in mid-February at the summit level, are welcome. It is to be hoped that those faction leaders who have criticized some elements of the electoral recommendations will nevertheless continue to assist in their elaboration and take part in elections that all agree to be necessary. In this context, I welcome the 16 January meeting of the Council of State, the first to be held since the shooting incident of 31 October 1996, and express my appreciation for the efforts of Foreign Minister Chief Tom Ikimi of Nigeria, the Foreign Minister of Guinea, Mr. Lamine Camara, and the Deputy Foreign Minister of Ghana, Mr. Mohammed Ibn Chambas in that regard. I call on the faction leaders to continue to meet regularly and to work together.

45. It is also encouraging to note that the second ECOWAS verification and assessment meeting reaffirmed ECOWAS determination to ensure strict compliance with the revised schedule of implementation of the Abuja Agreement.

46. Despite these positive developments, the security situation in Liberia remains volatile. Outbreaks of sporadic inter-factional fighting have continued, mainly between the two ULIMO factions on the one hand, while LPC continues to harbour deep suspicion against NPFL on the other. These incidents cast doubt on the commitment of the factions to the peace process. I do not believe the international community will be prepared to support the holding of elections unless they can take place in a reasonably secure environment. The ECOMOG role in ensuring the security of the elections will be particularly important. For that reason, I urge Member States to assist ECOWAS countries that have pledged additional troops to ECOMOG to enable them to reach the mission area and to assist in providing ECOMOG with resources for the maintenance of their transportation assets. The aid of the international

community is also essential in supporting bridging programmes to sustain demobilized combatants and to hasten the reintegration programmes planned by the United Nations and the donor community.

47. As preparations for the Liberian elections advance, in accordance with the tight schedule mandated by the 31 May deadline, I will keep the situation there under particularly careful review and advise the Security Council accordingly.

Annex I

Composition of the military component of UNOMIL as of 26 January 1997

	Military observers	Others*	Total
Bangladesh	7	7	14
China	5		5
Czech Republic	2		2
Egypt	12		12
India	13		13
Kenya	11		11
Malaysia	2		2
Nepal	6		6
Pakistan	11		11
Uruguay	2		2
Total	71	7	78

* Medical staff.

Annex II

A. Breakdown of disarmament by faction as of 26 January 1997

Faction	Revised estimated strength*	Fighters disarmed	Percentage
NPFL	12 500	6 770	54.16
ULIMO	6 800	3 507*	51.57
AFL	7 000	484	6.91
ULIMO-J	3 800	920	24.21
LPC	2 500	656	26.24
LDF	400	173	43.25
Total	33 000	12 510	37.90

* Includes 101 fighters disarmed on 7 September 1996 at Voinjama prior to the start of official disarmament on 22 November 1996.

B. Weapons surrendered as of 26 January 1997[a]

Faction	Serviceable	Unserviceable	Ammunition[b]
NPFL[c]	3 100	777	124 288
ULIMO[d]	733	198	317 347
AFL	203	33	10 427
ULIMO-J	197	69	24 068
LPC	136	20	22 030
LDF	59	6	4 057
Total	4 428	1 103[e]	502 217

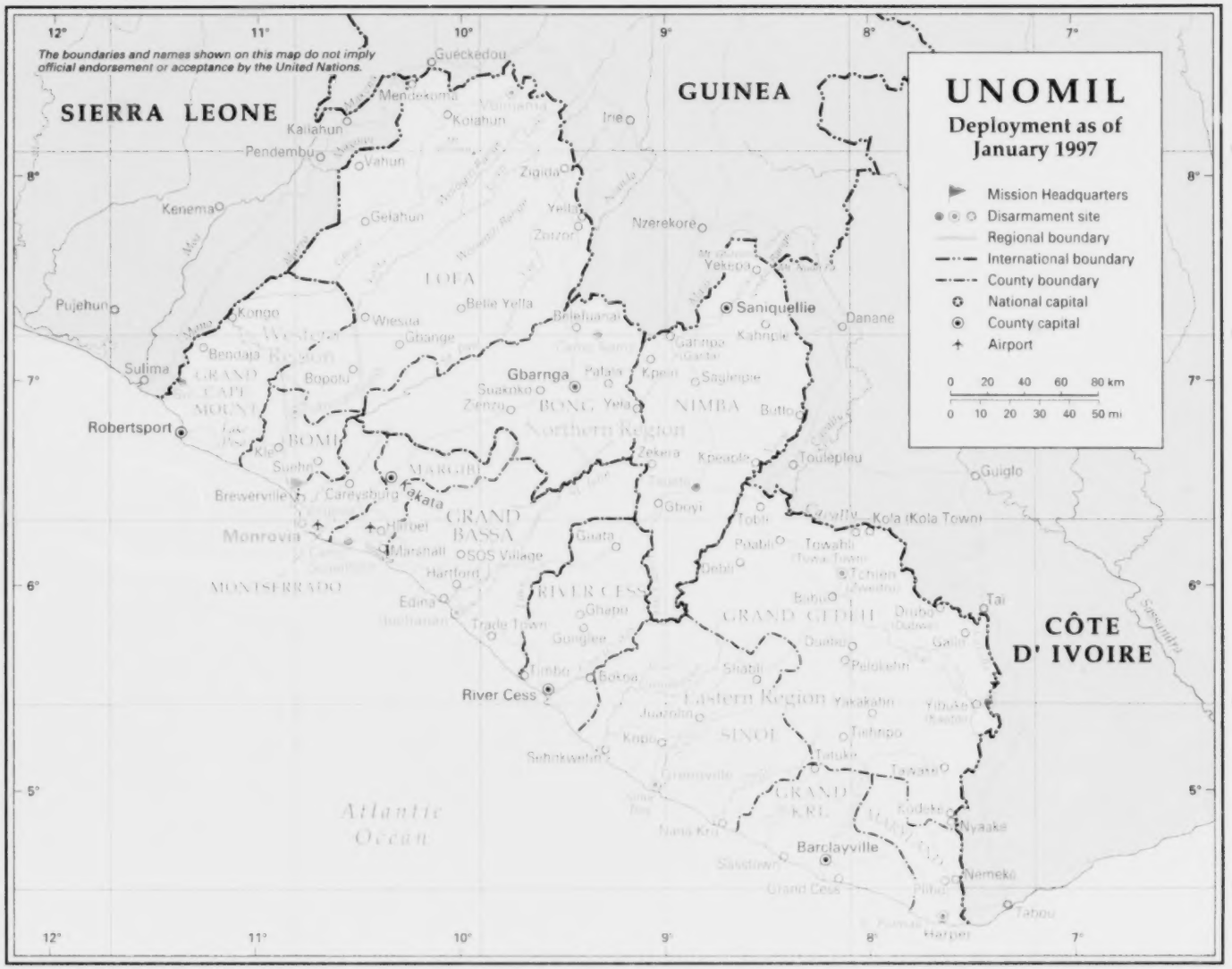
[a] Includes pistols/revolvers, sub-machine-guns/sub-machine carbines, rifles, general purpose machine-guns, rocket-propelled grenade/anti-tank, heavy calibre and other weapons.

[b] Includes grenades, small arms, higher calibre ammunition, artillery shells and mines.

[c] On 26 January NPFL surrendered at Gbarnga and Saniquellie the following weapons: two 105mm Howitzers, one 40-barrelled 122mm multi-barrelled rocket launcher, one 14.7mm 4-barrelled anti-aircraft machine-gun, one 14.7mm twin-barrelled anti-aircraft machine-gun, three mortars and a number of medium machine-guns.

[d] Includes weapons and ammunition surrendered voluntarily in September 1996 at Voinjama prior to start of official disarmament on 22 November 1996.

[e] Excluding 114 weapons recovered by ECOMOG from a cache near Tubmanburg.



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30 January 1997

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LETTER DATED 27 JANUARY 1997 FROM THE SECRETARY-GENERAL ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to refer to paragraph 1 of resolution 1094 (1997) of 20 January 1997, by which the Security Council decided to authorize the attachment to the United Nations Mission for the Verification of Human Rights and of Compliance with the Comprehensive Agreement on Human Rights in Guatemala (MINUGUA) of a group of military observers and requisite medical personnel for the purposes of verification of the Agreement on the definitive ceasefire.

Following the usual consultations, I wish to inform the Security Council of my intention to appoint Brigadier-General José B. Rodriguez Rodriguez of Spain as Chief Military Observer of the Military Observer Group.

I should be grateful if you would bring this matter to the attention of the Security Council.

(Signed) Kofi A. ANNAN

97-02840 (E) 300197

UNITED NATIONS **S**

Security Council

Distr.
GENERAL

S/1997/92
30 January 1997

ORIGINAL: ENGLISH

LETTER DATED 30 JANUARY 1997 FROM THE PRESIDENT OF THE SECURITY COUNCIL ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to inform you that your letter dated 27 January 1997 (S/1997/91) concerning your intention to appoint Brigadier-General José B. Rodriguez Rodriguez of Spain as Chief Military Observer of the Military Observer Group to be attached to the United Nations Mission for the Verification of Human Rights and of Compliance with the Comprehensive Agreement on Human Rights in Guatemala (MINUGUA) has been brought to the attention of the members of the Council. They agree with the intention contained in the letter.

(Signed) Hisashi OWADA
President of the Security Council

97-02846 (E) 300197

UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/1997/93
30 January 1997
ENGLISH
ORIGINAL: ENGLISH, FRENCH
AND RUSSIAN

Draft resolution

The Security Council,

Reaffirming all its relevant resolutions, in particular resolution 1065 (1996) of 12 July 1996, and recalling the statement of its President of 23 October 1996,

Having considered the report of the Secretary-General of 20 January 1997 (S/1997/47),

Acknowledging the efforts in support of the peace process of the Secretary-General and his Special Envoy, the Russian Federation as facilitator, and the group of Friends of the Secretary-General on Georgia as mentioned in the report,

Noting with deep concern the continued failure by the parties to resolve their differences due to the uncompromising position taken by the Abkhaz side, and underlining the necessity for the parties to intensify without delay their efforts, under the auspices of the United Nations and with the assistance of the Russian Federation as facilitator, to achieve an early and comprehensive political settlement of the conflict, including on the political status of Abkhazia within the State of Georgia, which fully respects the sovereignty and territorial integrity of Georgia,

Noting the opening of the United Nations Human Rights Office in Abkhazia, Georgia,

Reaffirming the necessity for the parties strictly to respect human rights, and expressing its support for the efforts of the Secretary-General to find ways to improve their observance as an integral part of the work towards a comprehensive political settlement,

Noting with concern recent frequent violations on both sides of the Moscow Agreement of 14 May 1994 on a Ceasefire and Separation of Forces (S/1994/583, annex I) (the Moscow Agreement), as well as acts of violence organized by armed groups operating from south of the Inguri River and beyond the control of the Government of Georgia,

Commending the contribution that the United Nations Observer Mission in Georgia (UNOMIG) and the Collective Peacekeeping Forces of the Commonwealth of Independent States (CIS peacekeeping force) have made to stabilize the situation in the zone of conflict, noting that the cooperation between UNOMIG and the CIS peacekeeping force has developed considerably, and stressing the importance of continued close cooperation and coordination between them in the performance of their respective mandates,

Deeply concerned at the continued deterioration of the security conditions in the Gali region, with an increase of acts of violence by armed groups, and indiscriminate laying of mines, including new types of mines, and deeply concerned also at the continued deterioration of the safety and security of the local populations, of the refugees and displaced persons returning to the region and of the personnel of UNOMIG and of the CIS peacekeeping force,

Reminding the parties that the ability of the international community to assist them depends on their political will to resolve the conflict through dialogue and mutual accommodation, as well as their full cooperation with UNOMIG and the CIS peacekeeping force, including the fulfilment of their obligations regarding the safety and freedom of movement of international personnel,

Taking note of the decision taken by the Council of Heads of State of the CIS of 17 October 1996 (S/1996/874, annex) to expand the mandate of the CIS peacekeeping force in the conflict zone in Abkhazia, Georgia, and to extend it until 31 January 1997,

1. Welcomes the report of the Secretary-General of 20 January 1997;

2. Reiterates its deep concern at the continued deadlock in achieving a comprehensive settlement of the conflict in Abkhazia, Georgia;

3. Reaffirms its commitment to the sovereignty and territorial integrity of Georgia, within its internationally recognized borders, and to the necessity of defining the status of Abkhazia in strict accordance with these principles, and underlines the unacceptability of any action by the Abkhaz leadership in contravention of these principles, in particular the holding on 23 November 1996 and 7 December 1996 of illegitimate and self-styled parliamentary elections in Abkhazia, Georgia;

4. Reaffirms its full support for an active role for the United Nations in the peace process, welcomes the efforts of the Secretary-General and his Special Envoy aimed at achieving a comprehensive political settlement of the conflict, including on the political status of Abkhazia within the State of Georgia, respecting fully the sovereignty and territorial integrity of Georgia, as well as for the efforts that are being undertaken by the Russian Federation in its capacity as facilitator to continue to intensify the search for a peaceful settlement of the conflict, and encourages the Secretary-General to continue his efforts to that end, with the assistance of the Russian Federation as facilitator, and with the support of the Organization for Security and Cooperation in Europe (OSCE);

5. Welcomes in this context the initiative of the Secretary-General as outlined in his report to strengthen the role of the United Nations in the peace process;

6. Calls upon the parties, in particular the Abkhaz side, to achieve substantive progress without further delay towards a comprehensive political settlement, and further calls upon them to cooperate fully with the efforts undertaken by the Secretary-General, with the assistance of the Russian Federation as facilitator;

7. Welcomes the renewal of direct dialogue at high level between the parties, calls upon them to intensify the search for a peaceful solution by further expanding their contacts, and requests the Secretary-General to make available all appropriate support if so requested by the parties;

8. Reaffirms the right of all refugees and displaced persons affected by the conflict to return to their homes in secure conditions in accordance with international law and as set out in the Quadripartite Agreement of 4 April 1994 on voluntary return of refugees and displaced persons (S/1994/397, annex II), condemns the continued obstruction of that return, and stresses the unacceptability of any linkage of the return of refugees and displaced persons with the question of the political status of Abkhazia, Georgia;

9. Recalls the conclusions of the Lisbon summit of the OSCE (S/1997/57, annex) regarding the situation in Abkhazia, Georgia, and reaffirms the unacceptability of the demographic changes resulting from the conflict;

10. Reiterates its condemnation of killings, particularly those ethnically motivated, and other ethnically related acts of violence;

11. Reiterates its demand that the Abkhaz side accelerate significantly the process of voluntary return of refugees and displaced persons without delay or preconditions, in particular by accepting a timetable on the basis of that proposed by the Office of the United Nations High Commissioner for Refugees (UNHCR), and further demands that it guarantee the safety of spontaneous returnees already in the area and regularize their status in cooperation with UNHCR and in accordance with the Quadripartite Agreement, in particular in the Gali region;

12. Welcomes in this context the holding of the meeting on 23 and 24 December 1996 in Gali on the resumption of the orderly repatriation of refugees and displaced persons, in particular to the Gali region, and calls upon the parties to continue these negotiations;

13. Calls upon the parties to ensure the full implementation of the Moscow Agreement;

14. Condemns the continued laying of mines, including new types of mines, in the Gali region, which has already caused several deaths and injuries among the civilian population and the peacekeepers and observers of the international community, and calls upon the parties to take all measures in their power to prevent mine-laying and intensified activities by armed groups and to cooperate

fully with UNOMIG and the CIS peacekeeping force in order to honour their commitments to ensure the safety and the freedom of movement of all personnel of the United Nations, the CIS peacekeeping force and international humanitarian organizations;

15. Urges the Secretary-General to take the necessary steps in response to the threat posed by the laying of mines in order to improve security conditions so as to minimize the danger to UNOMIG personnel and to create conditions for the effective performance of its mandate;

16. Decides to extend the mandate of UNOMIG for a new period terminating on 31 July 1997 subject to a review by the Council of the mandate of UNOMIG in the event of any changes that may be made in the mandate of the CIS peacekeeping force;

17. Expresses its full support for the implementation of a concrete programme for the protection and promotion of human rights in Abkhazia, Georgia, notes in this context the opening on 10 December 1996 of the Human Rights Office in Abkhazia, Georgia, as part of UNOMIG, under the authority of the Head of Mission of UNOMIG, and requests the Secretary-General to continue to pursue the necessary follow-up arrangements with the OSCE and to continue close cooperation with the Government of Georgia;

18. Reiterates its encouragement to States to contribute to the voluntary fund in support of the implementation of the Moscow Agreement and/or for humanitarian aspects including demining, as specified by donors;

19. Requests the Secretary-General to consider the means of providing technical and financial assistance aimed at the reconstruction of the economy of Abkhazia, Georgia, following the successful outcome of the political negotiations;

20. Requests the Secretary-General to continue to keep the Council regularly informed, and to report after three months from the date of the adoption of this resolution on the situation in Abkhazia, Georgia, including on the operations of UNOMIG and to provide recommendations in that report on the nature of the United Nations presence, and, in this context, expresses its intention to conduct a thorough review of the operation at the end of its current mandate;

21. Decides to remain actively seized of the matter.

UNITED NATIONS **S**

Security Council

Distr.
GENERAL

S/1997/94
30 January 1997

ORIGINAL: ENGLISH

LETTER DATED 29 JANUARY 1997 FROM THE PERMANENT REPRESENTATIVE OF KENYA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to transmit to you, for the information of members of the Security Council, a copy of the communiqué issued at the end of the meeting of the Foreign Ministers of Cameroon, the Congo, Kenya, South Africa, the United Republic of Tanzania and Zimbabwe on the current situation in the Great Lakes region, held in Pretoria on 27 and 28 January 1997 (see annex).

I should be grateful if you would have the present letter and the attached communiqué circulated as a document of the Security Council.

(Signed) Njuguna M. MAHUGU, OGW
Ambassador
Permanent Representative

97-02852 (E) 300197

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Annex

Joint communiqué issued at the conclusion of the meeting of the Foreign Ministers of Cameroon, the Congo, Kenya, South Africa, the United Republic of Tanzania and Zimbabwe on the current crisis in the Great Lakes region, held at Pretoria on 27 and 28 January 1997

Following the initiative of President Daniel arap Moi of the Republic of Kenya to convene two regional summit meetings in Nairobi on the ongoing crisis in the Great Lakes region during November and December 1996, respectively, a meeting of the Foreign Ministers of Cameroon, the Congo, Kenya, South Africa, the United Republic of Tanzania and Zimbabwe took place in Pretoria on 27 and 28 January 1997. The meeting was convened by the Minister for Foreign Affairs of Kenya, Mr. Stephen K. Musyoka, as a result of the decision of the Nairobi II Summit to designate the President of Cameroon (in his capacity as the current chairperson of the Organization of African Unity (OAU)), Kenya, South Africa and Zimbabwe to act on behalf of the leaders of the region in order to bring about an end to the ongoing conflict and to establish lasting peace in that part of the African continent.

The Minister for Foreign Affairs of the Congo - who is also the President of the Bureau of the United Nations Standing Advisory Committee on Security Questions in Central Africa - and the Foreign Minister of the United Republic of Tanzania participated in the meeting at the invitation of the Government of Kenya. Their participation was requested in the light of the valuable contribution the two countries could make in achieving the stated objectives in the Great Lakes region, taking into account their close involvement with and/or geographical proximity to, the countries in the region. Also attending the meeting was the Assistant Secretary-General of OAU, Ambassador Antonio, in view of the ever-increasing and important role of the Organization in conflict-prevention, management and resolution on the continent.

The meeting was briefed by Mr. Musyoka on the outcome of the discussions between President Moi and President Mobutu Sese Seko of the Republic of Zaire at the Gbadolite on 6 January 1997, which followed the Nairobi II Summit deliberations. The meeting then reaffirmed its complete support for the national sovereignty and territorial integrity of Zaire and welcomed the assurance of Zaire of granting full citizenship rights for all its nationals.

The meeting further expressed its support for the recent appeal of President Moi for the insurgents in eastern Zaire to cease hostilities and to withdraw, in order to facilitate negotiations with the Government of Zaire.

In addition, the meeting also called upon all countries and organizations to refrain from military involvement in the conflict, which could lead to a further escalation of hostilities.

The commitment of the Government of Zaire to proceed with the holding of national elections during 1997 was welcomed by the meeting and the international

community was called upon to support the democratization process in respect of the electoral process.

The meeting also welcomed the appointment of a Special Representative of the chairman of the group of four Heads of State, and of a joint Special Envoy for the Great Lakes region by the United Nations and OAU.

The Foreign Ministers' meeting in Pretoria agreed to visit Zaire at the earliest opportunity for discussions with the Government of that country. It was also decided that the visit should be followed by similar visits to Burundi, Rwanda and Uganda, in search of a lasting solution to the crisis in the Great Lakes region.

UNITED NATIONS **S**

Security Council

Distr.
GENERAL

S/1997/95
30 January 1997

ORIGINAL: ENGLISH

LETTER DATED 30 JANUARY 1997 FROM THE PERMANENT REPRESENTATIVE OF GEORGIA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to transmit herewith my statement regarding the pending resolution of the Security Council on the situation in Georgia.

May I request your kind assistance in circulating this statement as a document of the Security Council.

(Signed) Peter CHKHEIDZE
Ambassador
Permanent Representative

97-02927 (E) 310197

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Annex

Statement dated 30 January 1997 by the Permanent Representative of Georgia to the United Nations

I should like to thank the members of the group of countries known as Friends of the Secretary-General on Georgia, and the Russian Federation as facilitator, for their tireless efforts aimed at achieving the comprehensive settlement of the conflict in my country. Allow me also to welcome the establishment of the Human Rights Office in Sukhumi. This important step will undoubtedly improve the monitoring system and may serve as well as a deterrent to serious human rights violations in the region.

I have to note with regret that, despite the strong will of the international community to achieve a comprehensive settlement of the conflict in Abkhazia, Georgia, the peace negotiations remain stalled and there seems to be no perspective in the offing for a constructive dialogue with the Abkhaz authorities.

Every negotiation, in the nature of things, entails give and take. Regrettably, the Abkhaz authorities fail to consider this a moral category. They blatantly ignore all our concessions, including those on the issue of the political status of the region, and attempt to impose a plan conducive only to the dismemberment of my country.

In utter disregard of the position of the international community expressed in the statement of the President of the Security Council of 22 October 1996 (S/PRST/1996/43), whereby the Abkhaz authorities were urged to call off the planned parliamentary elections until the political status of Abkhazia was determined, the separatists staged this farce on 23 November 1996 and seriously aggravated the situation.

We strongly believe that under present circumstances, when more than 80 per cent of the Georgian population has been forcibly expelled from Abkhazia, when 300,000 refugees and displaced persons remain homeless, disenfranchised and humiliated, and in the face of the present demographic conditions, this action was not only unlawful but also immoral, threatening to damage the peace process beyond repair.

The growing number of violations of the Moscow agreement that are stressed in the report (S/1997/47) has long been the subject of our deep concern. We had anticipated this dangerous tendency and repeatedly called for the decisive measures to revitalize the peace process and to keep in check the outbreak of uncontrollable actions.

The Georgian population in the conflict zone is extremely vulnerable in the face of the armed Abkhaz militia, which is ruthlessly terrorizing virtually defenceless people. One more Georgian family was brutally murdered at the hands of the separatists on 9 December 1996.

The laying of mines and other explosive devices is also on the rise and is causing serious casualties among the civilian population and international personnel.

The effective functioning of the military observers is extremely important to us. We believe that serious demining operations should be undertaken in order to create safe and secure conditions for the population as well as for the resumption of the full-scale patrolling of the region.

My people have always counted on the help of the United Nations and have repeatedly expressed their confidence in the Organization and in the international community as a whole.

Regrettably, with the passage of time this attitude is showing signs of changing. The main reason for this tendency is a protracted negotiating process which hampers the return of refugees and displaced persons.

We are particularly concerned at their unspeakable living conditions and growing discontent. At a time when the average monthly income is just $27, the majority of more than 300,000 refugees and displaced persons do not have accommodations that meet minimal requirements of sanitation and hygiene. These people reside in half-demolished public buildings and even in farmhouses and stables. Only last year, the Ministry of Health Care registered dangerous outbreaks of tuberculosis and hepatitis in western Georgia. The rate of suicides and child mortality is also growing.

The Government of Georgia is doing everything in its capacity to diffuse the intensity of population dissatisfaction and keep emotions at bay, but as time goes on this becomes increasingly difficult.

The repatriation of refugees is the foremost issue. If not solved, it will put the whole peace process at stake. We are confident that progress in this matter cannot be achieved without the active role of the United Nations. The efforts of the Russian Federation as facilitator are also crucial and can determine the outcome of their entire peace process.

In its final documents adopted during the Budapest and Lisbon summit meetings, the Organization for Security and Cooperation in Europe (OSCE) condemned the ethnic cleansing of the Georgian population, resulting in mass destruction and forcible expulsion of the predominantly Georgian population from Abkhazia.

We believe that the Security Council should also be outspoken on this matter. Although the Council condemned the ethnically related killings in the region, we are inclined to think that this does not reflect to the full extent the scope and dimension of the crimes perpetrated by the separatists. Indeed, the time has come to call things by their right name and to hold those involved responsible.

The Government of Georgia has more than once expressed the political will to achieve a comprehensive settlement of the conflict. The efforts of

President Shevardnadze directed towards restoring stability in the entire region of the Caucasus are quite well known to the international community.

I wish to stress the importance of intensifying direct contacts with the Abkhaz side, though neither these attempts nor international efforts have so far managed to thaw out their stubbornness.

We believe that the United Nations and its Security Council will continue its ceaseless efforts to revive the peace process with a new impetus and will reaffirm by deed the decisive role of the Organization in resolving this dispute.

UNITED NATIONS **S**

Security Council

Distr.
GENERAL

S/1997/96
31 January 1997

ORIGINAL: ENGLISH

LETTER DATED 30 JANUARY 1997 FROM THE PERMANENT REPRESENTATIVE OF AFGHANISTAN TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to present herewith the text of a letter addressed to you by Mr. Abdul Rahim Ghafoorzai, Acting Foreign Minister of the Islamic State of Afghanistan, requesting you to convene a meeting of the Security Council to consider the grave situation in the districts situated north of Kabul.

(Signed) Dr. A. G. Ravan FARHADI
Permanent Representative

97-03031 (E) 310197

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Annex

Letter dated 30 January 1997 from the Acting Minister for Foreign Affairs of Afghanistan addressed to the President of the Security Council

Pursuant to my letter to you dated 19 January 1997 concerning the forcible transfer and deportation of the civilian population of the districts north of Kabul (S/1997/54, annex), I inform you with deep sorrow that the inhuman practice of mass deportation of ethnic Tajik residing in the districts north of Kabul is being continued by the Taliban mercenaries.

The Islamic State of Afghanistan strongly believes that this heinous act committed by the Taliban mercenaries is a crime against humanity which is the subject of special tribunals in other parts of the world.

It is the earnest expectation of the people and of the Islamic State of Afghanistan that the Security Council will address appropriately the grave violations of international humanitarian law committed by the Taliban mercenaries and those who are advising, aiding and abetting them as accomplices.

It is also expected that the Secretariat will inform the Security Council, in accordance with operative paragraph 13 of Council resolution 1076 (1996) of 22 October 1996, about the political, military and humanitarian situation in Afghanistan, which will obviously include the recent ethnic cleansing by the Taliban, which has been widely reported and witnessed by impartial observers and the international mass media.

On the basis of the above facts I have the honour to request you to convene and urgent meeting of the Security Council to consider the grave situation in the districts situated north of Kabul resulting from ethnic cleansing by the Taliban.

(Signed) Abdul Rahim GHAFOORZAI
Acting Foreign Minister

UNITED NATIONS **S**

Security Council

Distr.
GENERAL

S/1997/97
31 January 1997

ORIGINAL: ENGLISH

LETTER DATED 30 JANUARY 1997 FROM THE PERMANENT REPRESENTATIVE OF UGANDA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to transmit to you herewith for the information of the members of the Security Council, a communiqué dated 30 January 1997 from the Government of the Republic of Uganda, concerning allegations by Zaire and diverse international media against Uganda. I should be grateful if you would have the text of the present letter and its annex issued as a document of the Security Council.

(Signed) Mathias M. SEMAKULA KIWANUKA
Permanent Representative

97-03055 (E) 310197

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Annex

Communiqué dated 30 January 1997 from the Government of Uganda concerning allegations by Zaire and diverse international media against Uganda

1. The Government of the Republic of Uganda wishes to refer to the situation in eastern Zaire and to the accusations from some circles in the Government of Zaire and the international community that Uganda is involved in eastern Zaire.

2. The Government of Uganda wishes to make it absolutely clear to the Government of Zaire and the international community that these allegations are false and baseless. The developments in eastern Zaire are internal problems, and Zaire should address them by identifying the root causes of the armed conflict rather than using Uganda as a scapegoat. Some of the causes are related to the following:

(a) After the 1994 genocide in Rwanda, the defeated Rwandan soldiers and the Interahamwe camped along the Zaire-Rwanda border with all the military hardware they carried from Rwanda. In the resolution passed by the Cairo and Tunis summit meetings on the Great Lakes region on 28 and 29 November 1995 and from 16 to 18 March 1996, respectively, President Mobutu undertook to disarm these groups and to move them away from the common border to places acceptable under international law and United Nations conventions. This was never done;

(b) Within Zaire, the Interahamwe exported the policy of genocide into eastern Zaire, and have been directly linked to policies of execution and massacres in Masisi and Rutshuru in the Uvila region;

(c) For two years, Zaire continued to harbour armed elements which, in addition to the internal incursions mentioned above, regularly launched cross-border attacks against Rwanda, causing a perpetual threat to international peace and security in the region;

(d) The disenfranchisement of Zairian citizens (Banyamulenge) who had been living in Zaire for 200 years through a law enacted in 1981 resulted in discord among the Banyamulenge in Zaire. It finally exploded when the Governor of North Kivu issued an expulsion order against them;

(e) The internal dissident groups in Zaire, which have been in existence for over 30 years, for example Lumumbist secessionist struggles, the Tshombe group, Mulele groups, etc., took advantage of the fluid situation in eastern Zaire and took up arms. We urge the Government of Zaire and the international community not lose sight of these facts.

3. Shortly after the recent rebellion in Zaire, Ugandan dissidents, who had been living in Zaire with the full knowledge of the Zairian authorities, also took advantage of the prevailing situation and violated Ugandan territory from within Zaire. The Uganda Peoples Defence Forces assumed its Constitutional responsibility of defending Uganda and flushed the enemy out of Ugandan territory.

4. The Government of Uganda recognizes the inalienable rights of all people within the internationally recognized territorial boundaries as stipulated in the Organization of African Unity (OAU) Charter on Human and People's Rights and other international conventions relevant to the right of citizenship and nationality.

5. Uganda reaffirms and respects the territorial integrity of Zaire in accordance with the OAU Charter and the Cairo Declaration of 1964 on the territorial integrity and inviolability of national boundaries inherited at independence and calls for non-intervention and an end to cross-border incursions.

6. Zaire has also accused Uganda, Rwanda and Burundi, as sponsors of the Banyamulenge rebels who have expelled central Government functionaries from a section of eastern Zaire, thus sparking off the current crisis that threatens the peace and security of the Great Lakes region. This accusation, insofar as it related to Uganda, is false and diversionary. Uganda's foreign policy is grounded on respect for the sovereignty of other countries. We abide by the Charter of the United Nations regarding this clause and have never sponsored any organization or tribe to cause chaos in a neighbouring country. We strongly believe in good-neighbourliness and remain committed to working closely with countries of the region and the rest of the international community to seek peaceful ways and means of resolving problems in the region. It was in this regard that Uganda offered a base to the multinational force established by the Security Council in its resolution 1080 (1996) of 15 November 1996 to facilitate the delivery of humanitarian assistance to those refugees who were stranded in eastern Zaire.

7. President Museveni has been in regular contact with President Mobutu exploring ways in which Uganda could contribute to efforts that would bring about stability. We do not support the break up of Zaire. We wish therefore to reassure the international community at large that we have no soldiers involved with the current problem in eastern Zaire. We firmly believe in and have been working for regional cooperation as a way to promote peace and development. We are party to and bound by the resolutions of the regional summits of heads of State on eastern Zaire, held at Nairobi. There is no way Uganda could at the same time be a contributing factor to instability and insecurity in the region.

UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/1997/98
3 February 1997
ENGLISH
ORIGINAL: FRENCH

LETTER DATED 1 FEBRUARY 1997 FROM THE CHARGÉ D'AFFAIRES A.I.
OF THE PERMANENT MISSION OF ZAIRE TO THE UNITED NATIONS
ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to transmit to you, annexed hereto, a letter addressed to you by the Deputy Prime Minister and Minister for Foreign Affairs concerning the situation of aggression to which the Republic of Zaire has once again been subjected by the armed forces of Uganda, Rwanda and Burundi.

I should be grateful if you would have this letter and its annex circulated as a document of the Security Council.

(Signed) Lukabu KHABOUJI N'ZAJI
Minister Plenipotentiary
Deputy Permanent Representative
Chargé d'affaires, a.i.

97-03141 (E) 030297 030297

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Annex

Letter dated 1 February 1997 from the Deputy Prime Minister and Minister for Foreign Affairs of Zaire addressed to the President of the Security Council

In accordance with Article 34 and Article 35, paragraph 1, of the Charter of the United Nations, I have the honour to bring to the attention of the Security Council the grave situation prevailing in the provinces of eastern Zaire as a result of the aggression perpetrated by the Republic of Uganda, the Rwandese Republic and the Republic of Burundi.

On 29 and 30 January 1997, the localities of Bendera, Nord-Shaba, and Watsa, Haut-Zaire, were attacked by Ugandan and Rwandan troops.

Earlier, during the months of September, October and November 1996, troops from Uganda, Rwanda and Burundi had attacked the regions of Nord-Kivu and Sud-Kivu.

This aggression to which Zaire has been subjected is now a matter of public record, as certain Governments, including those of Belgium and the United States of America, officially recognized and condemned the presence of Ugandan and Rwandan troops, in particular, on Zairian soil.

During the fighting between the Zairian armed forces and the invading forces, some heavily armed members of the armed forces of Burundi, Uganda and Rwanda were captured on the battlefield and shown to the national and international press and to the Zairian public on 31 January 1997.

This constitutes the evidence put forward by Zaire of the unjustified and unprovoked aggression to which it has been subjected by the armies of neighbouring countries.

In view of the unresponsiveness of the international community, and pending the adoption by the Security Council of the measures required by the circumstances, Zaire is entitled to avail itself of the provisions of Article 51 of the Charter in order to recover its territories, which have been occupied by enemy forces and to put a stop to aggression.

In carrying out this constitutional obligation to defend the fatherland, which is in keeping with the spirit and letter of the Charter, Zaire has neither hegemonic intentions nor territorial designs on neighbouring countries.

Zaire intends simply to re-establish its authority over the eastern provinces, in accordance with the principles of the territorial integrity and the inviolability of the internationally recognized borders of States.

The Government of the Republic of Zaire requests the Security Council, which has defended the sovereignty, the territorial integrity and the inviolability of the internationally recognized borders of Zaire in its resolutions 1078 (1996) and 1080 (1996) to:

1. Recognize and condemn the aggression to which the Republic of Zaire has been subjected by the armed forces of Uganda, Rwanda and Burundi.

2. Adopt the measures required to put a stop to aggression and compel Uganda, Rwanda and Burundi to withdraw their troops unconditionally from Zairian territory.

3. Adopt such other measures as may be conducive to restoring peace and security in the Great Lakes Region, which have been seriously threatened.

It is time for the Security Council to shoulder the responsibilities conferred on it by the Charter with regard to aggression against a Member State so as to avoid the possibility that discriminatory treatment in the Zairian case might have a lasting adverse impact on the credibility of the United Nations and the confidence of Member States in the collective security system established by the Organization.

In the belief that the Security Council will admit the complaint by the Republic of Zaire, I request you to have this letter circulated as a document of the Security Council.

(Signed) Gérard KAMANDA-wa-KAMANDA
Deputy Prime Minister
Minister for Foreign Affairs

UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/1997/99
3 February 1997

ORIGINAL: ENGLISH

LETTER 3 FEBRUARY 1997 FROM THE PERMANENT REPRESENTATIVE OF BOSNIA AND HERZEGOVINA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

The peace process in Bosnia and Herzegovina has been progressing, slowly and grudgingly, but at least in most instances, forward. The process still requires intense care and encouragement and, unfortunately, there are frequent attempts to derail the Dayton/Paris Accords. It is as a signatory of the Dayton/Paris Accords, and as the Permanent Representative of Bosnia and Herzegovina, that I bring to your attention one particularly troubling event that the High Representative's office termed publicly as "obviously a clear violation of the Dayton Peace Agreement, its humanitarian annex specifically".

I would recommend that for the full details of the event, the transcript of the joint press conference of the United Nations and the Office of the High Representative of 27 January 1997 at Sarajevo be reviewed. However, to summarize: While a group of refugees, presumably mostly Bosniaks, were repairing their homes and returning to their place of origin within the Republika Srpska, an entity of Bosnia and Herzegovina, they were attacked by an organized mob at several points and from several directions. To quote the Stabilization Force (SFOR) spokesperson:

> "It is the opinion of Commander SFOR, General Crouch, that the two most disturbing events that were witnessed by SFOR personnel are: the mobs were clearly organized with the violent intent to prevent the authorized and accepted return process of Muslim civilians to their pre-war location and, secondly, the obvious and blatant inaction of the Republika Srpska police that were present to even attempt to stop the Republika Srpska civilian mob from committing the criminal assaults on the Muslim settlers. General Crouch is outraged by both of these issues and strongly condemns the relevant Republika Srpska authorities for allowing this despicable act to take place when they themselves had indicated that they accepted this very resettlement plan in Gajevi."

The United Nations spokesperson, Alexander Ivanko, added:

> "In view of the United Nations mission, it is completely unacceptable that a group of vigilantes were allowed, by the Republika Srpska local

authorities, to attack Bosniak refugees and destroy their property. The United Nations is especially dismayed by the fact that the Republika Srpska police did not interfere to stop the violence. Last week the local police in Koraj, and the International Police Task Force (IPTF) had agreed they would commence joint patrols, but once all the agreements were made, the Republika Srpska failed to appear when scheduled for those patrols. Yesterday, the chief of police in Koraj, made himself unavailable when IPTF sought his assistance in responding to the violence. The chief of the public security centre, Mr. Bilosevic absented himself in Doboj for the day. When finally contacted by telephone, he refused to take any action. Such behaviour by the Republika Srpska police officials can only be described as abysmal."

Excellency, the objective is not to bring the Council's attention to every incident that may go against the peace process. Unfortunately, even according to the views emanating from the United Nations and High Representative's Office in Sarajevo, these are not isolated incidents, but in fact systematic attempts to prevent the return of any refugees and the implementation of the most critical elements of the Dayton/Paris Agreement. More disturbingly, these attempts have been very successful, with an almost absolute blockage of refugee returns.

If refugees and displaced persons cannot return freely and in safety, the peace process cannot survive. This is the heart of a lasting peace as well as being critical to those countries anxious to see Bosnian refugees returning.

May we suggest that, in consultation with the Secretary-General, the Council consider further measures to enhance the efforts of IPTF in Bosnia and Herzegovina; and, two, that the Council emphasize its resoluteness to confront these violations of the Dayton/Paris Accords and enable the voluntary and prescribed return of refugees.

Excellency, these provisions should apply to all Bosnians regardless of ethnicity. Likewise, all political, military or police authorities in Bosnia and Herzegovina violating the Dayton/Paris Accords, international law and basic human rights must be held accountable and confronted by those responsible for implementation.

May I ask for your kind assistance in circulating the present letter as an official document of the Security Council.

(Signed) Muhamed SACIRBEY

UNITED
NATIONS

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General Assembly
Security Council

Distr.
GENERAL

A/51/792
S/1997/100
3 February 1997

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Fifty-first session
Agenda items 33, 35 and 85
THE SITUATION IN THE MIDDLE EAST
QUESTION OF PALESTINE
REPORT OF THE SPECIAL COMMITTEE TO
INVESTIGATE ISRAELI PRACTICES
AFFECTING THE HUMAN RIGHTS OF THE
PALESTINIAN PEOPLE AND OTHER ARABS
OF THE OCCUPIED TERRITORIES

SECURITY COUNCIL
Fifty-second year

Letter dated 31 January 1997 from the Permanent Observer of Palestine to the United Nations addressed to the Secretary-General

I have the honour to transmit the text of a communiqué issued by the Palestinian leadership at its meeting held in Gaza City on 31 January 1997.

I should be grateful if you would arrange to have the text of the present letter and its annex distributed as an official document of the General Assembly, under agenda items 33, 35 and 85, and of the Security Council.

(Signed) Nasser AL-KIDWA
Permanent Observer of Palestine
to the United Nations

97-03169 (E) 040297 040297

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ANNEX

[Original: Arabic]

Communiqué issued by the Palestinian leadership at its meeting held in Gaza City on 31 January 1997

The Palestinian leadership is concerned over the decisions recently taken by the Israeli Government and Israeli military leaders, as they threaten to bring about the failure of all the efforts being made to get the peace process back on track.

On 19 January 1997, i.e., two days after the Protocol Concerning the Redeployment in Hebron had been signed, General Uzi Dayan issued decree No. 393 forbidding the inhabitants of the old city of Hebron from making repairs to their houses, and Israeli forces began arresting all those engaging in such work. At the time of the promulgation of this decree, which runs counter to both the spirit and the letter of the Protocol, the Israeli Government was allowing Israeli settlers, under the protection of the Israeli occupation forces, to enlarge one settlement and build new ones.

On 27 January 1997, in blatant violation of the agreement signed by the two parties, the occupation forces expelled the Arab al-Jahalin tribe from their dwellings in the Abu Dis area of Jerusalem in order to make room for the expansion of the Maaleh Adumim settlement. They also prohibited the use of the Bilal Mosque (Qubbat Rahil) and locked the building.

In recent weeks the Israeli Government has taken a number of decisions approving the expansion of Israeli settlements on Palestinian land, including the Holy City of Jerusalem. They have withdrawn the identity cards of Palestinian residents in Jerusalem in order to Judaize that city. Decrees have authorized the appropriation of land and the continuation of work on the construction of bypass roads. Houses have been demolished and their inhabitants expelled. The policy of closure, blockade and suppression continues to be implemented against the Palestinian people, and emergency vehicles and fire engines donated by the Japanese Government more than three months ago continue to be denied entry. Shipments of food and medical supplies donated by a number of countries are held up for lengthy periods at the international crossing points and in the ports.

Furthermore, in contravention of the agreements reached, Israel announced on 25 January 1997 that the sum of 70 million new shekels which is due to the Palestinian Authority in respect of taxes and customs for the previous month would not be transferred, as part of the blockade on the Authority.

To date, the Joint Commission on the release of women prisoners and other detainees has not met; the Israeli Government is creating obstacles to safe passage between the West Bank and the Gaza Strip, and has prevented European companies from starting work on the construction of the port to be financed by European countries, principally the Netherlands and France. Israel has also prohibited the operation of Gaza's international airport for more than six

months, in an effort to tighten its blockade against the Palestinian Authority and prevent the export of Palestinian goods. This blockade has resulted in daily losses of more than US$ 7 million, quite apart from the Israeli Government's refusal to settle outstanding accounts with the Palestinian Authority and transfer the monies owing to it, amounting to some hundreds of millions of dollars.

The pursuit by Israel of such practices threatens to cause the failure of all the efforts which have been made to get the peace process back on track, ensure the faithful application of the agreements signed, and the resumption of the final status negotiations on the basis of the agreed agenda, which includes the issues of Jerusalem, borders, settlements and refugees.

The Palestinian leadership, which has made and continues to make every possible effort to protect and ensure the continuation of the peace process, calls upon all countries, in particular those sponsoring the peace process, and the Arab and Islamic States, to take immediate and effective action to put a stop to these Israeli practices, give the peace process the opportunity it deserves and save the peace process from the ruin threatened by this dangerous Israeli policy.

The Palestinian leadership also renews its call to the Israeli Government to desist from all these practices, to annul the military decrees, and to proceed forthwith to the balanced implementation of all the provisions of the Interim Agreement, the settlement of outstanding issues and the resumption of the final status negotiations.

The pursuit of these practices will inevitably mean that opportunities to proceed with the peace process will be missed and will return the countries and peoples of the region to their former positions of confrontation and struggle. Such an outcome is to be avoided at all costs. What is needed, above all, is for the Israeli Government to desist from all the practices referred to above. Should it persist in its present course, the Israeli Government will bear sole responsibility for the failure of the peace process, and the consequent destructive effects on the countries and peoples of the region.

UNITED NATIONS **S**

Security Council

Distr.
GENERAL

S/1997/101
3 February 1997
ENGLISH
ORIGINAL: ARABIC

LETTER DATED 3 FEBRUARY 1997 FROM THE CHARGE D'AFFAIRES A.I. OF THE PERMANENT MISSION OF THE UNITED ARAB EMIRATES TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

On instructions from my Government, I have the honour to transmit herewith the text of note No. OK1/7/2-50, dated 28 January 1997, from the Ministry of Foreign Affairs of the United Arab Emirates addressed to the Embassy of the Islamic Republic of Iran in Abu Dhabi, setting forth the Ministry's vigorous protests against the violation of the territorial waters of the United Arab Emirates on 19 January 1997 by a military supply ship flying the Iranian flag and fitted out with four 40/60-mm guns and by another Iranian vessel which was carrying a number of vehicles, cement, sand and building materials. This illegal action is a blatant violation of the sovereignty of the United Arab Emirates, a flagrant breach of the norms and principles governing relations between States and conduct that is contrary to the principle of good-neighbourliness.

I should be grateful if you would have the text of this letter and its annex circulated as a document of the Security Council.

(Signed) Khalid Khalifa AL-MUALLA
Chargé d'affaires a.i.

97-03157 (E) 030297 030297

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Annex

The Ministry of Foreign Affairs of the United Arab Emirates presents its compliments to the Embassy of the Islamic Republic of Iran in Abu Dhabi and has the honour to inform it that on 19 January 1997, at 5.30 a.m., units of the border guards and the coast guard and police aircraft accompanying them sighted an object at sea situated 3 nautical miles from Red Island, belonging to the emirate of Ras al-Khaimah. It was ascertained that the object was a military supply ship flying the Iranian flag, specifically the landing craft Hinjam 511, sailing at the speed of 14.5 knots and fitted out with four 40/60-mm guns.

On the same day, another object was sighted in the same position. It, too, was found to be an Iranian vessel carrying a number of vehicles, cement, sand and building materials.

The commander of the vessel, with whom contact had been made for the purpose of ascertaining the reasons for the vessel's entering the territorial waters of the United Arab Emirates, stated that he had the authorization of the port authorities of the emirates of Ajman and Ras al-Khaimah, an assertion that was subsequently found to be totally unfounded.

Given such unjustified violation of its territorial waters, the United Arab Emirates vigorously protests against these illegal actions, which constitute a blatant violation of its sovereignty, a flagrant breach of the norms and principles governing relations between States and conduct that is contrary to the principle of good-neighbourliness.

The Ministry of Foreign Affairs therefore expects that the Embassy of the Islamic Republic of Iran will promptly convey to the competent authorities the vehement protest of the United Arab Emirates and the latter's wishes that such violations of its sovereignty will not be repeated, as they can only have a detrimental effect on relations between the two countries.

The Ministry of Foreign Affairs takes this opportunity to convey to the Embassy of the Islamic Republic of Iran the renewed assurances of its highest consideration.

UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/1997/102
4 February 1997

ORIGINAL: ENGLISH

LETTER DATED 31 JANUARY 1997 FROM THE SECRETARY-GENERAL
ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to refer to Security Council resolution 1088 (1996) of 12 December 1996, in which the Council extended the mandate of the United Nations Mission in Bosnia and Herzegovina (UNMIBH) for a period terminating on 21 December 1997.

Following the usual consultations, I wish to inform you of my intention to appoint Mr. Kai Eide (Norway) as Special Representative of the Secretary-General and Coordinator of United Nations Operations in Bosnia and Herzegovina.

I should be grateful if you could bring the above to the attention of the members of the Security Council.

(Signed) Kofi A. ANNAN

97-03237 (E) 040297

UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/1997/103
4 February 1997

ORIGINAL: ENGLISH

LETTER DATED 4 FEBRUARY 1997 FROM THE PRESIDENT OF THE SECURITY COUNCIL ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to inform you that your letter dated 31 January 1997 (S/1997/102) concerning your intention to appoint Mr. Kai Eide (Norway) as your Special Representative and Coordinator of United Nations Operations in Bosnia and Herzegovina has been brought to the attention of the members of the Council. They agree with the intention contained in the letter.

(Signed) Njuguna Moses MAHUGU, O.G.W.
President of the Security Council

97-03243 (E) 040297

UNITED NATIONS **S**

Security Council

Distr.
GENERAL

S/1997/104
4 February 1997
ENGLISH
ORIGINAL: ARABIC

LETTER DATED 3 FEBRUARY 1997 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government, I have the honour to inform you that violations of Iraq's airspace by United States and British aircraft continued over the period 16 to 31 January 1997 and that the aircraft in question carried out reconnaissance and engaged in acts of provocation, as set forth in the annex hereto.

You are requested to intervene with the countries in question with a view to bringing a halt to actions that, as flagrant violations of the Charter of the United Nations and of international law, pose a threat to the sovereignty and territorial integrity of the Republic of Iraq.

These actions continue to alarm the civilian population and to cause serious damage to private and public property. The Republic of Iraq affirms its right to seek legal compensation for the damage being inflicted on the Iraqi people and the Iraqi State by these actions.

I should be grateful if you would have this letter and its annex circulated as a document of the Security Council.

(Signed) Nizar HAMDOON
Ambassador
Permanent Representative

Annex

Violations of Iraq's airspace and damage caused, 16-31 January 1997

1. In the northern region 34 sorties were flown at speeds of 600 to 900 kilometres per hour and at altitudes of 6,000 to 9,000 metres, over the following Iraqi cities and towns: Mosul, Irbil, Dohuk, Tall Afar, Amadiyah, Zakho, Ayn Sifni and Baibo.

2. In the southern region 660 sorties were flown at speeds of 600 to 900 kilometres per hour and at altitudes of 6,000 to 9,000 metres, over the following Iraqi cities and towns: Qurnah, Qal'at Salih, Nasiriyah, Samawah, Rumaythah, Salman, Busayyah, Jalibah, Artawi, Amarah, Chabaish, Lasaf, Nu'maniyah, Hayy, Razzazah South, Basra, Najaf, Ushbayjah, Shithathah and Ukhaydir.

3. On 18 occasions United States TR-1 reconnaissance aircraft flying at speeds of 600 kilometres per hour and at altitudes of 20,000 metres violated the Republic of Iraq's airspace in the southern region before leaving in the direction of Kuwait.

UNITED
NATIONS

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Security Council

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GENERAL

S/1997/105
4 February 1997

ORIGINAL: ENGLISH

REPORT BY THE SECRETARY-GENERAL CONCERNING THE CREDENTIALS OF THE ALTERNATE REPRESENTATIVE OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND ON THE SECURITY COUNCIL

Pursuant to rule 15 of the provisional rules of procedure of the Security Council, the Secretary-General wishes to report that he has received a letter dated 30 January 1997 from the Permanent Representative of the United Kingdom of Great Britain and Northern Ireland to the United Nations, stating that Mr. Christopher Pagett has been appointed alternate representative of the United Kingdom of Great Britain and Northern Ireland on the Security Council.

In the opinion of the Secretary-General, that communication constitutes adequate provisional credentials.

97-03255 (E) 040297

UNITED NATIONS **A S**

General Assembly
Security Council

Distr.
GENERAL

A/51/794
S/1997/106
4 February 1997

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Fifty-first session
Agenda item 40
THE SITUATION IN CENTRAL AMERICA:
PROCEDURES FOR THE ESTABLISHMENT OF A FIRM AND LASTING PEACE AND PROGRESS IN FASHIONING A REGION OF PEACE, FREEDOM, DEMOCRACY AND DEVELOPMENT

SECURITY COUNCIL
Fifty-second year

Identical letters dated 31 January 1997 from the Secretary-General addressed to the President of the General Assembly and to the President of the Security Council

I have the honour to refer to the peace accords signed by the Government of Guatemala and the Unidad Revolucionaria Nacional Guatemalteca (URNG), which came into force on 29 December 1996. In those accords the parties requested the United Nations to establish a mission to verify all agreements reached between them. In the report promised in paragraph 10 of my report of 26 November 1996 to the General Assembly (A/51/695-S/1996/998) I shall propose that the new mission, which will be called the United Nations Verification Mission in Guatemala (MINUGUA), subsume the functions currently performed by the existing United Nations Mission for the Verification of Human Rights and of Compliance with the Commitments of the Comprehensive Agreement on Human Rights in Guatemala (also abbreviated as MINUGUA).

The purpose of the present letter is to inform you that, after consulting the two parties, I have decided to appoint Mr. Jean Arnault as my Special Representative and Head of the United Nations Verification Mission in Guatemala (MINUGUA). Mr. Arnault was appointed United Nations Observer to the peace negotiations in June 1992 and United Nations Moderator of the negotiations when they were resumed under United Nations auspices in January 1994. His appointment will be with effect from 1 March 1997, on which date Mr. David Stephen, who has led MINUGUA with great distinction since 1 June 1996, will return to New York to assume important functions in my Executive Office.

I should be grateful if you would bring this information to the attention of the members of the Security Council.

(Signed) Kofi A. ANNAN

97-03313 (E) 040297

UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/1997/107
4 February 1997

ORIGINAL: ENGLISH

LETTER DATED 4 FEBRUARY 1997 FROM THE PRESIDENT OF THE SECURITY COUNCIL ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to inform you that your letter dated 31 January 1997 (A/51/794-S/1997/106) concerning your decision to appoint Mr. Jean Arnault as your Special Representative and Head of the United Nations Verification Mission in Guatemala has been brought to the attention of the members of the Council. They take note of the decision contained in the letter.

(Signed) Njuguna Moses MAHUGU, O.G.W.
President of the Security Council

97-03319 (E) 040297

UNITED NATIONS

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General Assembly
Security Council

Distr.
GENERAL

A/52/70
S/1997/108
5 February 1997

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Fifty-second session
MEASURES TO ELIMINATE INTERNATIONAL TERRORISM

SECURITY COUNCIL
Fifty-second year

Letter dated 3 February 1996 from the Chargé d'affaires a.i. of the Permanent Mission of Israel to the United Nations addressed to the Secretary-General

I wish to refer to the letters dated 17 January 1997 (S/1997/41) and 23 January 1997 (A/52/63-S/1997/70) from the Permanent Representative of Lebanon to the Secretary-General of the United Nations and to respond to certain misleading points therein.

The precarious situation in southern Lebanon is caused by the acts of the terrorist organizations, mostly Hezbollah, which use Lebanese territory as a base of aggression against Israel; by the Government of Lebanon's refusal to disarm these groups; and by the aid and encouragement given to terrorist organizations both by the Government of Lebanon and by States well known for their support of international terror. Lebanon cannot export terrorism and expect peace in return.

Any action by Israel in response to such terrorism has thus been taken solely in self-defence and has regretfully been made necessary precisely because the Government of Lebanon has been, and unfortunately remains, ineffectual, unable or unwilling to carry out its basic duty under international law and the Charter of the United Nations of preventing its territory from being used as a base for Hezbollah and other terrorist groups' attacks against Israel and its citizens. Lebanon has, time and again, had the opportunity to extend central authority over all its territory, yet the Beirut Government has repeatedly demonstrated an incredible inability to act in this regard. Thus Lebanon's efforts at recovery from a decade of ruthless civil war, which are alluded to by its Permanent Representative, are hampered, not by any action on Israel's part, but by its own ineptitude. Clearly, Lebanon needs first to create a solid foundation of peace and tranquillity upon which to build this recovery.

Israel would welcome a change whereby Lebanon ceases to enable its territory to be illegally used for unprovoked terrorist ends, and so puts an end to the current situation of attacks on Israel and its territorial integrity. For Lebanon cannot export terrorism and expect peace in return. Were it not for the unprovoked and relentless terror emanating from Lebanese soil, the southern border with Israel would be calm and safe.

In this context it should be clearly stated that the purported justification advanced by Lebanon for terror activities against Israel, that of claiming a so-called "right of resistance", is completely spurious and has no basis whatever in international law. Any attempt to use General Assembly resolutions as the source of such a claim is a deliberate incorrect misinterpretation of Assembly resolutions, which clearly and unequivocally call for the total rejection of all forms of violence and terror. In fact the very opposite is true. No Assembly resolution can properly be used to justify terror. Moreover, General Assembly resolution 51/210 of 17 December 1996 concerning measures to eliminate international terrorism clearly establishes that there is no justification whatsoever for acts of terror.

It should be stressed that Lebanon's position and policies are the primary obstacle in the way of fulfilment of the role of the United Nations Interim Force in Lebanon (UNIFIL) as they enable the infiltration of armed terrorists in or through its area of operations, thereby placing upon UNIFIL the impossible task of trying to deal with a situation for which it was not created and for which it has no mandate.

Furthermore, Lebanon's refusal to return to the conference table to discuss a treaty of peace is at odds with its claim to be committed to the Middle East peace process, which is based, as set out in the Joint Invitation issued to all Parties by the Co-sponsors to the Madrid Conference, solely on United Nations Security Council resolutions 242 (1967) and 338 (1973). The invitation issued to Israel did not include the Letter of Assurance to the Government of Lebanon referred to by the Lebanese Permanent Representative, which, therefore, can in no way serve as a basis for negotiations between Israel and Lebanon in the Madrid peace process. If the Government of Lebanon truly wishes to achieve a peaceful settlement, it has to control its heavily armed, semi-independent militias and to resume direct negotiations with Israel in accordance with the agreed upon terms of reference of the peace process. Israel has suggested this many times in the past, lamentably to no avail.

I would be grateful if you would have the present letter circulated as a document of the General Assembly, under the item entitled "Measures to eliminate international terrorism", and of the Security Council.

(Signed) David PELEG
Ambassador
Chargé d'affaires a.i.